



1 EDUCATION AND WORKFORCE DEVELOPMENT CABINET

2 Kentucky Board of Education

3 Kentucky Department of Education

4 (Amendment)

5 704 KAR 3:540. Uniform academic course codes.

6 RELATES TO: KRS 156.070, 156.160

7 STATUTORY AUTHORITY: KRS 156.070, 156.160

8 NECESSITY, FUNCTION, AND CONFORMITY: KRS 156.070(1) gives the Kentucky Board  
9 of Education the management and control of the common schools. KRS 156.160(1) requires the  
10 Kentucky Board of Education to promulgate administrative regulations for the courses of study  
11 that are administered in the common schools. This administrative regulation establishes a  
12 uniform system of coding academic courses in schools and districts through the student  
13 information system. A uniform course code is required to create accurate data regarding courses  
14 offered that is utilized by schools, districts, the Department of Education, the Education  
15 [~~Educational~~] Professional Standards Board and the Office of Education Accountability.

16 Section 1. Maintenance of Uniform Academic Course Codes. The Kentucky Department of  
17 Education shall maintain a system for uniform academic course codes and all course codes,  
18 course titles, and course descriptions shall be identified. The Kentucky Department of Education  
19 shall annually review uniform academic course codes to identify courses for revision, addition,  
20 and deletion. The Commissioner of Education shall annually approve any changes to uniform  
21 academic course codes and shall publish and distribute updated course information to all districts

no later than January 31 of each year.

Section 2. Uniform Academic Course Code Requirements. (1) Local districts and schools shall use the uniform academic course codes, distributed by the Commissioner of Education annually ~~[listed and described in the Academic Course Code List,]~~ to classify all courses offered in each school when reporting to the Kentucky Department of Education.

(2) Reporting to the Kentucky Department of Education shall include the listing and linking of uniform academic courses ~~[if the listing of academic courses is required].~~

Section 3[2]. District and School Course Descriptions. The linking of local district and school codes to the uniform academic course codes shall be performed annually by district and school staff using the student information system.

Section 4[3]. Annual District and School Audits. The Kentucky Department of Education shall annually audit and report the use or misuse of uniform academic course codes by districts and schools.

~~[Section 4. Incorporation by Reference. (1) "Academic Course Code List", April 2010, is incorporated by reference.~~

~~(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Office of Teaching and Learning, 18th Floor, Capital Plaza Tower, 500 Mero Street, Frankfort, Kentucky 40601, Monday through Friday, 8 a.m. through 4:30 p.m.]~~

This is to certify that the chief state school officer has reviewed and recommended this administrative regulation prior to its adoption by the Kentucky Board of Education, as required by KRS 156.070(5).

12-13-17  
(Date)

Stephen L. Pruitt  
Stephen L. Pruitt, Ph.D.  
Commissioner of Education

12/14/17  
(Date)

Mary Gwen Wheeler  
Mary Gwen Wheeler, Chairperson  
Kentucky Board of Education

**PUBLIC HEARING AND PUBLIC COMMENT PERIOD:** A public hearing on this proposed administrative regulation shall be held on January 22, 2018, at 10:00 a.m. in the State Board Room, Fifth Floor, 300 Sower Boulevard, Frankfort, Kentucky. Individuals interested in being heard at this meeting shall notify this agency in writing five working days prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through January 31, 2018. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to:

**CONTACT PERSON:** Kevin C. Brown, Associate Commissioner and General Counsel, Kentucky Department of Education, 300 Sower Boulevard, 5<sup>th</sup> Floor, Frankfort, Kentucky, 40601, phone 502-564-4474, fax 502-564-9321; email [regcomments@education.ky.gov](mailto:regcomments@education.ky.gov)

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Regulation Number: 704 KAR 3:540  
Contact Person: Kevin C. Brown, [kevin.brown@education.ky.gov](mailto:kevin.brown@education.ky.gov)  
Phone number: 502-564-4474

(1) Provide a brief summary of:

(a) What this administrative regulation does: Amends administrative regulation 704 KAR 3:540 to improve alignment between academic experiences, quality of courses and uniform academic course codes. KRS 156.160(1) requires that the Kentucky Board of Education promulgate administrative regulations for the courses of study that are administered in the common schools. The administrative regulation establishes a uniform system of coding academic courses in schools and districts through the student information system.

(b) The necessity of this administrative regulation: Amendment of 704 KAR 3:540 accomplishes the following: (1) assists districts in compliance with KRS 161.1221 and 16 KAR 1:050, which require the Education Professional Standards Board (EPSB) to classify and certify teachers; (2) allows districts to have a better understanding of the kinds of courses students have previously encountered when transferring from other districts; (3) assists the Kentucky Department of Education (KDE) in providing accurate data to the Kentucky General Assembly for future funding decisions and the KBE as they make policy decisions; and (4) assists with reporting at the federal and state levels.

(c) How this administrative regulation conforms to the content of the authorizing statute: The regulation conforms to the authority given to the Kentucky Board of Education in KRS 156.160 and KRS 156.070.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: This regulation supports alignment of Kentucky's Academic Standards with a uniform system of coding academic courses offered in school districts.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment is part of the KDE and KBE efforts to align uniform course codes with courses and academic standards throughout Kentucky's 173 public school districts. The amendment removes documents incorporated by reference and adds a process to allow the Commissioner of Education to regularly update the Uniform Academic Course Codes to reflect the listing and linking of courses by local school districts.

(b) The necessity of the amendment to this administrative regulation: This amendment is necessary as part of the KDE and KBE efforts to update and align uniform course codes with courses and academic standards throughout Kentucky's 173 public school districts. By removing documents incorporated by reference and establishing a process for the Commissioner of Education to regularly update and publish approved course codes, courses throughout the Commonwealth will be more uniform and linked to academic standards.

(c) How the amendment conforms to the content of the authorizing statute: KRS 156.160 requires the KBE to promulgate administrative regulations for the “Courses of study for the different grades and kinds of common schools identifying the common curriculum content directly tied to the goals, outcomes, and assessment strategies...” The amendment of this regulation conforms to the content of the authorizing statute as it prescribes the method by which the Commission of Education will develop and publish uniform academic course codes that are linked to academic standards for courses offered in Kentucky public schools. That is, the regulation establishes the courses of study for different grades and directly links those courses to required academic standards.

(d) How the amendment will assist in the effective administration of the statutes: This regulation supports alignment of Kentucky’s Academic Standards with a uniform system of coding academic courses offered in school districts.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: Those affected by this amendment are: the KDE, all public school districts and public schools.

(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including: This amendment requires the KDE to annually review and update uniform codes in order to expedite services and support to districts and schools.

(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment: Districts and schools will need to annually align course offerings to the Uniform Academic Course Codes.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3): No additional costs to comply with amendment.

(c) As a result of compliance, what benefits will accrue to the entities identified in question (3): Amendment of this regulation supports alignment of course codes to specific academic standards where appropriate, revision of the process for requesting and approving course codes, and updating both the KDE and EPSB systems of course codes.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: No additional costs to comply with amendment.

(b) On a continuing basis: No additional costs to comply with amendment.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: N/A

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees or funding is necessary to implement this amendment.

(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees: This regulation does not establish any fees.

(9) TIERING: Is tiering applied? (Explain why or why not) Tiering was not appropriate in this administrative regulation because the administrative regulation applies equally to all schools and districts.

## FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

Regulation Number: 704 KAR 3:540.  
Contact Person: Kevin C. Brown, [kevin.brown@education.ky.gov](mailto:kevin.brown@education.ky.gov)  
Phone number: 502-564-4474

(1) What units, parts, or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? This regulation impacts the KDE, local school districts and schools.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS 156.160 and KRS 156.070.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. No effect is anticipated based on this amendment.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? No revenue is anticipated based on this amendment.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? No revenue is anticipated based on this amendment.

(c) How much will it cost to administer this program for the first year? There will be no cost associated with the amendment.

(d) How much will it cost to administer this program for subsequent years? There will be no cost associated with the amendment.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): N/A

Expenditures (+/-): N/A

Other Explanation: N/A